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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/431,449	11/01/1999	ANTHONY P. GALLUSCIO	6572-14	8736

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HOANG, PHUONG N

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2126

DATE MAILED: 09/02/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/431,449	GALLUSCIO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Phuong N. Hoang	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 June 2003.
  - 2a) This action is **FINAL**.      2b) This action is non-final.
  - 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.
- Disposition of Claims**
- 4) Claim(s) 1 - 18 is/are pending in the application.
    - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
  - 5) Claim(s) \_\_\_\_\_ is/are allowed.
  - 6) Claim(s) 1 - 18 is/are rejected.
  - 7) Claim(s) \_\_\_\_\_ is/are objected to.
  - 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1 – 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erez Haba, U.S. patent no. 6,275,912, in view of Erickson, US patent no. 6,181,707, and further in view of John B. Carter, U.S. patent no. 6,148,377.

As to claim 13, Haba teaches a set of instructions stored in a fixed medium (col. 4, lines 55 – 67), attaching a first process (sender) in a message buffer (data collector 240, col. 6, lines 17 – 67) of, RAM (212), operating system (35), accumulating message data (col. 5, lines 55 – 67), a message list (message queue, col. 6, lines 28 – 30), memory offset (col. 7 lines 1 – 15). Haba teaches attaching a first process into a RAM.

However, Haba does not teach attaching a second process into a message buffer in a shared region of RAM exclusive of the operating system kernel, processing in said second process said accumulated data (col. 8, lines 1 – 15).

Erickson teaches attaching a second process into a message buffer in a shared region (CDCC 100 both access ... shared dual-port RAM 20, col. 7 lines

12 – 30), processing in said second process said accumulated data (receiver uses this address offset, col. 7 lines 30 - 60).

It would have been obvious to apply the teaching of Erickson to Haba's system because the second process can access to the shared RAM to process the message without sending the whole message contents to high-speed the process.

Both Haba and Erickson do not teach a shared RAM is exclusive of the operating system.

Cater teaches a shared region of RAM exclusive of the operating system kernel (fig. 1 and 2).

It would have been obvious to apply the teaching of Cater to Haba's system for easy access and control the system environment.

As to claim 14, Haba teaches detecting a previously created shared region of RAM (col. 8, lines 15 – 30), creating and configuring a shared region in RAM for storing accumulated data (col. 8, lines 15 – 30).

As to claim 15, Haba teaches message list is a message queue (col. 6, lines 28 – 30).

As to claim 16, Erickson teaches retrieving a memory offset in said message buffer (col. 6, lines 55 – 67), inserting said memory offset in said message queue corresponding to said second process (received uses this address offset to place the message data into, col. 7 lines 45 - 60).

As to claim 17, Haba teaches assigning said memory offset to an integer location (col. 7, lines 1 – 16).

As to claim 18, Haba teaches identifying, using a message data at a location in said buffer corresponding to said memory offset (col. 6, lines 55 – 67 to col. 7, lines 1 – 16), releasing said message buffer (col. 8, lines 20 – 24).

As to claim 1, this is the method claim of claim 13, see claim 13 above for rejection. As modified by Haba in claim 13 teaches message data is transferred from first process to said second process with minimal data transfer overhead (since it just uses manipulate the message in the buffer using the memory offset instead of transferring the whole message).

As to claim 2, see claim 14 above. Further, Haba teaches attaching the first process (col. 6, lines 17 – 67) and second process in a shared region (Erickson, CDCC 100 both access ... shared dual-port RAM 20, col. 7 lines 12 – 30).

As to claim 3 - 6, see claim 15 –18 respectively.

As to claim 7, see claim 1 above. Further Haba teaches disposing a message buffer in a shared region of RAM (col. 6, lines 48 – 67).

As to claim 8, Haba teaches creating and configuring a message buffer (col. 8, lines 15 – 23), creating a message list (col. 7, lines 16 – 19) message list can store memory offsets of message data (col. 7, lines 1 – 15).

As to claim 9 – 12, see claims 3 – 6 respectively.

***Response to Arguments***

Applicant's arguments filed 6/30/03 have been fully considered but they are not persuasive.

Applicant requested to point out particularly "memory offset" of Haba reference (paragraph 2 paragraph 3).

Applicant argued that nowhere in Haba is it ever suggested that data in shared RAM can be accessed through a memory offset (page 3 last paragraph), Erickson does not teach the addition of a "memory offset" to a message list of second process (page 4 paragraph 2), applicant's invention seeks to avoid—a 2\*n copying circumstance and Haba, Erickson and Carter, fails to teach the applicant's invention (page 4 paragraph 3), and memory offset to a message list of a "second buffer" (page 4 last paragraph).

Memory offset of Haba is clearly cited in the rejection above.

It is the combination of Haba and Erickson teaches share RAM, not Haba reference alone. In Erickson reference, the offset has to be placed in the message list, which is the receive queue, before it can process and place the message data into the same-numbered location(s) in its receive queue (col. 7 lines 50 – 60). Applicant did not claim "avoid—a 2\*n copying circumstance", "second buffer".

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (703) 605-4239. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)746-7140.

Ph



JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

August 26, 2003.